

1636

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Bastian et al.
Serial No.: 09/536,736
Filed: March 28, 2000
Entitled: METHOD FOR ISOLATING AND PURIFYING
NUCLEIC ACIDS ON SURFACES



ART UNIT: 1636

EXAMINER: T. McKelvey

Attorney Docket No.: QGN-009.1 US

Asst. Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

RECEIVED
JAN 22 2002
TECH CENTER 1600/2900

Sir/Madam:

Transmitted herewith are: [X] A Response to a Restriction Requirement; and [X] a return receipt post card.

FEE FOR ADDITIONAL CLAIMS

- [X] A fee for additional claims is not required.
[] A fee for additional claims is required. The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	NUMBER OF EXCESS CLAIMS	RATE	FEES DUE
TOTAL CLAIMS			0	× \$18	= 0.00
INDEPENDENT			0	× \$84	= 0.00
FIRST INTRODUCTION OF MULT. DEPENDENT CLAIM				+\$280	= 0.00
TOTAL FEES DUE					= 0.00

PAYMENT OF ADDITIONAL FEES

- [] A check including the amount of \$ _____ in payment of the fee for additional claims is transmitted herewith.
- [X] The Commissioner is hereby authorized to charge payment of any additional fees required under 37 CFR 1.16 or 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to **Deposit Account No. 50-0268**. A duplicate copy of this transmittal letter is transmitted herewith.

PETITION FOR EXTENSION OF TIME

- ☐ Extension is requested under 37 CFR 1.136(a), and the following extension fee is applicable for the paper(s) filed herewith: ☐ \$110.00 for response within first month pursuant to 37 CFR 1.17(a)(1);
☐ \$400.00 for response within second month pursuant to 37 CFR 1.17(a)(2);
☐ \$920.00 for response within third month pursuant to 37 CFR 1.17(a)(3);
☐ \$1,440.00 for response within fourth month pursuant to 37 CFR 1.17(a)(4);
☐ \$1,960.00 for response within fifth month pursuant to 37 CFR 1.17(a)(5);
- ☒ The Commissioner is hereby authorized to charge payment of any additional fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to **Deposit Account No. 50-0268**. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,

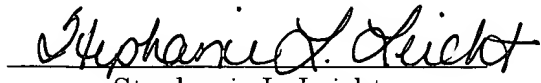


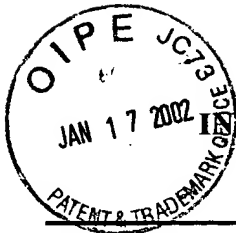
Thomas R. Berka, Ph.D.; Registration No. 39,606
Leon R. Yankwich; Registration No. 30,237
Attorneys for Applicants
YANKWICH & ASSOCIATES
130 Bishop Allen Drive
Cambridge, Massachusetts 02139
telephone: (617) 491-4343
telefax: (617) 491-8801

CERTIFICATE OF MAILING

The undersigned hereby certifies that this correspondence is being deposited with the U.S. Postal Service as First Class mail, in an envelope addressed to the Asst. Commissioner for Patents, Washington, DC 20231, on the date indicated below.

November 1, 2001
Date of mailing and signature


Stephanie L. Leicht



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Bastian et al.
Serial No.: 09/536,736
Filed: March 28, 2000
Entitled: Method for Isolating and Purifying
Nucleic Acids on Surfaces

ART UNIT: 1636
EXAMINER: T. McKelvey

Attorney Docket No.: QGN-009.1 US

Assistant Commissioner for Patents
Washington, D.C. 20231

#8
RECEIVED
JAN 22 2002
TECH CENTER 1600/2900

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This paper is filed in response to an Office Action (Paper No. 7), dated October 1, 2001, in which the Examiner has rescinded a previous restriction requirement (June 4, 2001) and imposed another. Because this paper is filed within the one-month shortened statutory period for response, no fee associated with this response is believed to be due. However, to avoid abandonment, the Commissioner is hereby authorized to charge any fee related to this response to Deposit Account No. 50-0268.

REMARKS

In the present Office Action, restriction is required as between:

- Group I: Claims 1-5, 9-55, and 58, drawn to a process for isolating nucleic acids on a surface
- Group II: Claims 6-8, 56 and 57, drawn to an apparatus for isolating nucleic acids and a method of use thereof